

Scott M. Riemer (SR 5005)
RIEMER & ASSOCIATES, LLC
60 East 42nd Street, Suite 1750
New York, New York 10165
(212) 297-0700
sriemer@riemerlawfirm.com

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
KAREN BARRETT,

10 CV 4600 (AKH)(MHD)

Plaintiff,

NOTICE OF MOTION

-against-

HARTFORD LIFE AND ACCIDENT INSURANCE
COMPANY,

Defendant.

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PLEASE TAKE NOTICE that, upon the affirmation of Scott M. Riemer, dated September 14, 2012, the accompanying Memorandum of Law, and upon all prior proceedings herein, Plaintiff will move this Court before Honorable Alvin K. Hellerstein, at the United States Courthouse, 500 Pearl Street, New York, New York 10007, on a date and time to be specified by the Court, pursuant to FED. R. CIV. P. 54(d)(2) and 60(b)(5) for (1) \$37,513.00 in attorney fees incurred during the Court ordered remand and preparation of the instant motion; (2) \$56,757.84 in attorney fees, which represents 60% of the attorneys' fees incurred to obtain the Court ordered remand; (3) \$25,975.00 in pre-judgment interest at the rate of 9%; and (4) for such other relief as the Court deems just and proper.

Dated: September 14, 2012
New York, New York

Respectfully submitted,

/s/ Scott M. Riemer

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TO:

Michael H. Bernstein, Esq.
Sedgwick LLP
125 Broad Street, 39th Floor
New York, New York 10004-2400
Tel.: (212) 422-0202
Fax: (212) 422-0925
michael.bernstein@sedgwicklaw.com

CERTIFICATE OF SERVICE

I hereby certify that on September 14, 2012, I served a true and complete copy of the foregoing document by transmitting the same by electronic mail to the following individuals at the E-mail addresses indicated:

Michael H. Bernstein, Esq.
Sedgwick LLP
125 Broad Street, 39th Floor
New York, New York 10004-2400
Tel.: (212) 422-0202
Fax: (212) 422-0925
michael.bernstein@sedgwicklaw.com

I also certify that this document filed through the ECF system will be sent electronically to all registered participants on September 14, 2012.

Dated: New York, New York
September 14, 2012

/s/ Scott M. Riemer
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